

Part 1: Chapter 4

The Role of the County Council

1. Functions reserved to the County Council

Only the County Council will exercise the following functions:

- 1.1. Adopting and changing the Constitution.
- 1.2. Approving the budget, setting the Council Tax and issuing the precept.
- 1.3. Agreeing and adopting the following plans and strategies (the 'Policy Framework'):
 - 1.3.1. Plans and strategies that together comprise the Development Plan – Hampshire Minerals and Waste Plan;
 - 1.3.2. Children and Young People's Plan;
 - 1.3.3. Local Transport Plan;

(These plans are required by law to be approved or adopted by the County Council)

 - 1.3.4. Serving Hampshire – Strategic Plan for 2017 - 2021;

(This is a plan or strategy which statutory guidance recommends should be approved or adopted by the County Council or Cabinet)
 - 1.3.5. Other plans or strategies which the County Council has determined, in accordance with the Functions Regulations, should be adopted or approved by the County Council, as part of the Policy Framework as a matter of local choice.
- 1.4. Subject to the urgency procedure contained in the Functions Regulations referred to in Part 2 of this Constitution, making decisions about any matter in the discharge of an Executive function, which is covered by the Policy Framework or the budget, where the decision-maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the budget, in either case where the

- decision would be contrary to a significant degree;
- 1.5. Adopting the Members Allowances Scheme;
 - 1.6. Approval of the County Council's Pay Statement;
 - 1.7. Election of Chairman, Vice-Chairman and Leader;
 - 1.8. Appointment of and agreeing and/or amending terms of reference for Committees and Standing Panels of the County Council, in accordance with the proportionality rules and legislative requirements;
 - 1.9. Making appointments to the Hampshire Fire and Rescue Authority;
 - 1.10. Appointing representatives to Joint Committees and any other Outside Bodies, unless the appointment is an Executive function or has been delegated by the County Council;
 - 1.11. Conferring the title of Honorary Alderman;
 - 1.12. Confirming the appointment of the Head of Paid Service and to provide staff accommodation and resources;
 - 1.13. Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
 - 1.14. Any Local Choice Functions set out in Part 2, Chapter 2 Paragraph 2.2 of this Constitution, which the County Council decides should be undertaken by itself, rather than the Executive, and not delegated to a Committee of the County Council;
 - 1.15. Power to make Standing Orders;
 - 1.16. Power to make Standing Orders as to contracts;
 - 1.17. Duty to make arrangements for proper administration of financial affairs etc;
 - 1.18. Power to appoint officers for particular statutory purposes (appointment of "Proper Officers"), for example access to information requirements;
 - 1.19. Duty to designate an officer as the Monitoring Officer, and to provide staff accommodation and resources;
 - 1.20. Duty to approve authority's statement of accounts, income and expenditure and balance sheet, record of payments and receipts (as the case may be), unless previously approved by the Audit

Committee in accordance with Part 1, Chapter 7, Paragraph 7.3.3 (ii) of this Constitution.

- 1.21. All other matters which by law must be reserved to the County Council or which are not to be an Executive function not delegated elsewhere in this Constitution;
- 1.22. The County Council will also:
 - 1.22.1. Receive Reports from the Head of Paid Service (the Chief Executive), the Section 151 Officer (the Chief Finance Officer), and the Monitoring Officer on such matters as these Officers consider should be brought before the County Council;
 - 1.22.2. Consider and agree Reports as appropriate from the Conduct Advisory Panel;
 - 1.22.3. Receive Reports from Select (Overview and Scrutiny) Committees where compliance by the Executive with the budget and policy framework is questioned by such Committees and receive general reports on activities;
 - 1.22.4. Receive and determine Motions from Members;
 - 1.22.5. Receive and determine Reports and Recommendations from the Leader and the Executive on Part I items as defined in Standing Orders;
 - 1.22.6. Receive Reports on Part II items as defined in Standing Orders;
 - 1.22.7. Receive General Questions as defined in Standing Orders;
 - 1.22.8. Receive Reports and Questions on the discharge of the functions of the Hampshire Fire and Rescue Authority.

2. County Council meetings

Meetings of the County Council will be conducted in accordance with the County Council's Standing Orders in Part 3, Chapter 1 of this Constitution.

3. Responsibility for Non-Executive Functions

The County Council has determined which Local Choice Functions are not to be the responsibility of the Executive. These functions and other County Council functions which are not the responsibility of the Executive are referred to at Part 2, Chapter 1, and set out at Part 2, Chapter 2, Paragraphs 1 and 2 of this Constitution.